

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

BV RIGHTS ANSTALT,  
Plaintiff,

No. C-04-04839 SC (EDL)

**ORDER RE: DISCOVERY DISPUTE**

v.

ABAXIS INC,  
Defendant.

On January 18, 2006, the parties called the Court regarding a discovery dispute that had arisen at the beginning of the videotaped deposition of Plaintiff's representative regarding: (1) the spacing of the video camera with respect to the witness; and (2) which parties would be captured on video. The Court held a telephonic hearing in this matter on January 18, 2006.

For the reasons stated at the hearing, Defendant shall move the camera away from the witness by one to two additional feet. Plaintiff's objection that the videotape will only show the deponent is overruled.

**IT IS SO ORDERED.**

Dated: January 20, 2006

*Elizabeth D. Laporte*  
ELIZABETH D. LAPORTE  
United States Magistrate Judge